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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

1. By its resolution 901 (1994) of 4 March 1994, the Security Council extended the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 March 1994. The Council also requested the Secretary-General to report to the Council by 21 March on whatever progress had been made in the negotiations and on the situation on the ground, with special attention to circumstances that might warrant a peace-keeping force and on the modalities for such a force.

2. In my last report (S/1994/253) on the situation in Georgia, I informed the Council that the third round of negotiations would resume at United Nations Headquarters in New York on 7 March 1994 in an effort to obtain the agreement of the Georgian and Abkhaz sides to a declaration on measures for a political settlement of the Georgian/Abkhaz conflict and to an agreement on the voluntary return of refugees and displaced persons.

3. Three days of negotiations were held, from 7 to 9 March, under the chairmanship of Ambassador Edouard Brunner, my Special Envoy for Georgia. Representatives of the Russian Federation participated in that country's role as facilitator and the negotiations were also attended by representatives of the Conference on Security and Cooperation in Europe and of the United Nations High Commissioner for Refugees (UNHCR).

4. On 9 March, Mr. Eduard Shevardnadze, Chairman of Parliament and Head of State of the Republic of Georgia, visited New York to address the Council. I had a detailed exchange of views with him on the state of the negotiations and on the possibilities for action by the United Nations.

5. In the light of these latest negotiations, I see no reason to alter the judgement I expressed in my last report to the Council (see S/1994/253, para. 32) that "at present, however, the conditions that would make it possible to plan and deploy such a peace-keeping force with an achievable mandate do not exist".

6. Although much of the draft political declaration and virtually all the draft refugee agreement were acceptable to both sides, there remain three major issues on which they are still far apart:

(a) Recognition of the territorial integrity of Georgia;

(b) The repatriation of refugees and displaced persons;

(c) The role and area of deployment of a possible peace-keeping force.

7. The recognition of the territorial integrity of Georgia is a principle whose importance has been underlined by the Security Council in its resolution 896 (1994) of 31 January 1994 and earlier resolutions. The Georgian side wishes to see at least implicit recognition by the Abkhaz side. The Abkhaz side, however, denies that it has at present any territorial links with the Republic of Georgia, insists on being treated as an equal party to the negotiations on political status and says that it is prepared to consider the matter of recognition of territorial integrity once the outcome of political negotiations is known, but not as a precondition for those negotiations.

8. Regarding refugees and displaced persons, UNHCR seeks to maintain internationally accepted principles and practices for their voluntary repatriation and return, which do not allow for the introduction of screening mechanisms. The Abkhaz side, however, is concerned that the returnees would include persons who had fought in the recent conflicts and who would represent a threat to internal security because they might take up arms again. In the prevailing climate of mistrust and suspicion between the parties, no understanding has yet been found on provisions that would both respect international principles and accommodate the Abkhaz concerns.

9. Perhaps the widest difference of opinion concerns the role and area of deployment of a possible peace-keeping force. I described the attitudes of the two sides in my last report (S/1994/253, para. 21); they have not changed. The Georgian side wants a peace-keeping force to be generally deployed in Abkhazia with a mandate that would require it to guarantee the security of refugees returning to their homes, including the use of force, if necessary, against persons who threaten their security. The Abkhaz side says it would accept a force only if it was deployed along the Inguri River, which is the present line of confrontation, to guard against Georgian attack. The Abkhaz side refuses to permit deployment elsewhere and will not accept the presence of any international civilian police to assist the local authorities in dealing with returnees.

10. As stated above, many aspects of the two draft documents have been provisionally agreed, including a formal commitment to a cease-fire and the establishment of a standing committee to continue energetic efforts to achieve a comprehensive settlement, including the establishment of a phased action programme. But the negotiation process is greatly complicated by the absence of any spirit of reconciliation between the two sides. Nor has it yet been possible to identify any measures that might create a more propitious climate for efforts to resolve issues that at present seem intractable. The level of tension in the area remains high and there is an increasing risk of return to war. In addition, the existence of over a quarter of a million refugees and displaced persons is creating ever greater strains. Spontaneous and disorganized returns will increase, with a likelihood of incidents of violence.

11. Although conditions for the deployment of a peace-keeping force do not at present exist and negotiations are, for the time being, suspended, I do not believe that this is the time for the international community to abandon its efforts. On the contrary, both parties to the conflict need outside help to assist them to find the road to peace. At the same time, they cannot expect the international community to maintain that assistance indefinitely if they do not both show a readiness to start rebuilding confidence and reconciling their differences. In this context, the Council may wish to know that I have received informal indications from both sides that they wish to find a negotiated settlement. In the same spirit, I strongly urge both sides to avoid taking any action that would be unhelpful to the negotiating process.

12. I accordingly intend to ask my Special Envoy to resume contact with the parties within the next few weeks, as well as with the Russian Federation in its role of facilitator. In the meantime, I recommend that the mandate of UNOMIG should be extended for a further three months, to 30 June 1994. UNOMIG observers would continue to carry out the tasks assigned to them in Council resolution 881 (1993).

13. As I stated in my last report (S/1994/253, para. 23), I shall continue further preliminary planning for the possible deployment of a peace-keeping force and report to the Council thereon as soon as political negotiations reach the point at which the Council might decide to establish such an operation.

14. Finally, I once again express my warm appreciation for the close support extended to the efforts of my Special Envoy by the Russian Federation, in its role of facilitator, and the generous help given by the Government of Switzerland.